

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JEROME ROYSTER,

Petitioner,

v.

CYNTHIA MAUSSER, et al.,

Respondent.

Case No. 2:15-cv-01345
Judge Frost
Magistrate Judge King

ORDER

On November 6, 2015, the Magistrate Judge recommended that Respondent's *Motion to Dismiss* (ECF No. 7) be granted and that this action be dismissed as unexhausted. *Report and Recommendation* (ECF No. 8). In response to the recommendation, *Objection* (ECF No. 9), Petitioner appears to acknowledge that a state court remedy remains available to him and he asks that the case be voluntarily dismissed so that he can pursue that remedy.

Petitioner's request for the voluntary dismissal of the case is **GRANTED**. In granting this motion, the Court expresses no opinion as to the timeliness of any future federal habeas corpus action that Petitioner might file.

This action is hereby **DISMISSED**.

/s/ GREGORY L. FROST
GREGORY L. FROST
United States District Judge